

# **Exhibit 44**



DEPARTMENT OF LAW

COUNTY OF ALLEGHENY

300 Fort Pitt Commons Bldg. ♦ 445 Fort Pitt Boulevard ♦ Pittsburgh, PA 15219  
TELEPHONE: (412) 350-1120 ♦ FAX: (412) 350-1174

**Rich Fitzgerald**  
Chief Executive

**Andrew F. Szefi**  
County Solicitor  
Andrew.Szefi@AlleghenyCounty.US

December 5, 2016

Douglas E. Leib, Esquire  
Emery Celli Brinckerhoff & Abady LLP  
600 Fifth Avenue at Rockefeller Center  
10<sup>th</sup> Floor  
New York, NY 10020

*By Email:*  
dlieb@ecbalaw.com

Re: Allegheny County Elections Recanvass

Dear Mr. Leib,

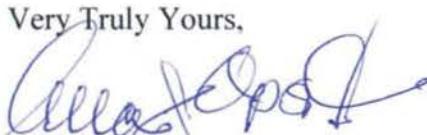
I received your letter of December 4<sup>th</sup> last evening. The response of Allegheny County is as follows:

1. On Friday Judge James ordered that the requested recanvass in fifty two election districts proceed. Mr. Wolosik described the mechanics of the recanvass while testifying on Friday. That process began at ten o'clock this morning and has been completed;

2. Judge James did not order any sort of forensics examination. You also confirmed that Mr. Wolosik testified in depth about the forensic measures that Allegheny County takes to ensure that its DRE machines function properly;

3. Neither of the Pennsylvania Supreme Court cases that you cite have any bearing on the instant situation.

Very Truly Yours,

  
Allan J. Opsitnick  
Assistant County Solicitor

C: Ronald L. Hicks, Esquire  
Nicholas J. Bell, Esquire  
Stuart C. Gaul, Jr., Esquire  
Mark Wolosik, Elections Division Manager